

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

DAMALAS BOULDIN

PLAINTIFF

VS.

CIVIL ACTION NO. 3:06CV399WA

**CITY OF MENDENHALL, MISSISSIPPI;
SIMPSON, MISSISSIPPI and JIMMY CHARLES
J. SULLIVAN, Individually and in his official
capacity**

DEFENDANTS

ORDER

This matter came before the court on the Motion to Stay filed by the City of Mendenhall, Mississippi. The basis for the Motion is the criminal investigation that is allegedly pending as the result of the incident at issue in this case, and the Motion seeks a stay until the investigation is completed. The incident at issue occurred on July 22, 2005. The subject of the investigation, Defendant Sullivan, has not been indicted, and there is no anticipated time frame in which an end to the investigation or an indictment is expected. Thus, the stay, if granted, would be indefinite. For these reasons, the court is not inclined to grant the requested stay, and the Motion will be denied. This denial, however, is without prejudice to the City's right to seek relief if discovery problems arise as the result of the investigation.

IT IS, THEREFORE, ORDERED that the Motion to Stay is hereby **denied**.

IT IS SO ORDERED, this the 4th day of January, 2007.

S/Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE